

## Message Text

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ACTION SCI-03

INFO OCT-01 SS-14 ADP-00 EUR-10 PM-03 L-02 ACDA-10 NSC-10

NSCE-00 CIAE-00 INR-10 NSAE-00 RSC-01 NASA-01 EB-03

COME-00 IO-03 AECE-00 AEC-05 NEA-06 RSR-01 MC-02

SSO-00 INRE-00 /085 W

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O 051509Z JUL 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 6116

C O N F I D E N T I A L SECTION 01 OF 02 BONN 09590

LIMDIS

E.O. 11652: GDS

TAGS: TECH, GW,

SUBJECT: SPACELAB AGREEMENT

REF: BONN 8989

1. SUMMARY. FRG FOREIGN OFFICE PRESENTED EMBASSY SCIATT WITH INFORMAL "NON-PAPER" OUTLINING THEIR VIEWS ABOUT ARTICLE 7A OF DRAFT SPACELAB AGREEMENT. FRG WOULD BE WILLING TO RETURN TO AN EARLIER AMERICAN TEXT FOR THIS ARTICLE IF IT WOULD BE POSSIBLE BY AN EXCHANGE OF LETTERS TO MAKE IT CLEAR THAT AN EXISTING INTERNATIONAL AGREEMENT OR ARRANGEMENT WOULD NOT BE A PRECONDITION FOR AVAILABILITY OF THE SHUTTLE FOR EUROPEAN SPACELAB MISSIONS. END SUMMARY

2. AN INFORMAL TRANSLATION OF FRG GERMAN-LANGUAGE "NON-PAPER" FOLLOWS:

A. THE FOREIGN OFFICE HAS THE HONOR TO INFORM THE AMERICAN EMBASSY WITH RESPECT TO RECENT CONVERSATIONS ABOUT EUROPEAN PARTICIPATION IN THE AMERICAN POST APOLLO  
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PROGRAM AND IN PARTICULAR ABOUT ARTICLE 7A OF THE DRAFT

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND CERTAIN EUROPEAN GOVERNMENTS ABOUT THE DEVELOPMENT OF A SPACELAB THAT THE FEDERAL GOVERNMENT WOULD BE PREPARED TO AGREE TO THE AMERICAN PROPOSAL FOR A NEW TEXT OF THE MENTIONED ARTICLE WHICH WOULD GO AS FOLLOWS: "THE GOVERNMENT OF THE UNITED STATES OF AMERICA SHALL, CONSISTENT WITH INTERNATIONAL AGREEMENTS AND ARRANGEMENTS, MAKE THE SPACE SHUTTLE AVAILABLE FOR SL MISSIONS OF THE EUROPEAN PARTNERS AND THEIR NATIONALS ON EITHER A COOPERATIVE OR COST-REIMBURSEABLE BASIS."

B. THE GERMAN SIDE WILL PROCEED FROM THE ASSUMPTION THAT THE FORMULA "CONSISTENT WITH INTERNATIONAL AGREEMENTS AND ARRANGEMENTS" IS TO BE UNDERSTOOD THAT THE AMERICAN GOVERNMENT WILL MAKE THE SPACE SHUTTLE AVAILABLE IF AN INTERNATIONAL AGREEMENT OR AN INTERNATIONAL ARRANGEMENT DOES NOT STAND IN THE WAY AT THE TIME OF THE PLANNED SPACELAB MISSION. THE EXISTENCE OF AN INTERNATIONAL AGREEMENT OR AN INTERNATIONAL ARRANGEMENT WOULD NOT BE A PRECONDITION FOR THE AVAILABILITY OF THE SHUTTLE FOR EUROPEAN SPACELAB MISSIONS.

C. IT WOULD BE USEFUL TO CONFIRM THIS INTERPRETATION IN A SEPARATE EXCHANGE OF LETTERS BETWEEN THE AMERICAN GOVERNMENT AND THE PARTICIPATING EUROPEAN GOVERNMENTS.

D. THE FOREIGN OFFICE POINTS OUT HOWEVER THAT THE ABOVE STATEMENT GIVES ONLY THE GERMAN INTERPRETATION AND CANNOT BE CONSIDERED THE OPINION AMONG THE ESRO MEMBER STATES CONCERNED.

3. EMBASSY COMMENT. FOREIGN OFFICE REPRESENTATIVE (DR. RANDERMANN) EMPHASIZED THAT "NON-PAPER" WAS PRESENTED INFORMALLY ONLY TO ASSIST THE EXCHANGE OF

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TO SECSTATE WASHDC IMMEDIATE 6117

C O N F I D E N T I A L SECTION 02 OF 02 BONN 09590

LIMDIS

VIEWS BETWEEN THE US AND THE FRG. GERMANY WOULD BE WILLING TO RESPOND EQUALLY INFORMALLY TO ANY FURTHER US COMMENTS ON THIS POINT. IN RESPONSE TO EXPLORATION BY SCIATT OF POSSIBLE MECHANISMS FOR THE EXCHANGE OF LETTERSENVISIONED ABOVE, RANDERMANN INDICATED THAT FRG HAD NOT YET CONSIDERED THIS QUESTION. IN A FORMAL SENSE, EUROPE IS WAITING FOR US RESPONSE TO THE AIDE MEMOIRE DELIVERED BY FRG EMBASSY IN WASHINGTON (PARIS 17270 AND BONN 8989). CONSEQUENTLY, BALL IS NOW IN US COURT. HE CONSIDERED IT POSSIBLE THAT FORMAL US RESPONSE TO FOUR POINTS RAISED IN EUROPEAN AIDE MEMOIRE, WHICH INCLUDED THE TEXT OF ARTICLE 7A AS GIVEN IN PARAGRAPH 2A ABOVE TOGETHER WITH AN EXPLANATION ALONG LINES OF PARAGRAPH 2B ABOVE WOULD BE AN ACCEPTABLE WAY OF PRESENTING THIS NEW TEXT AND THE US INTERPRETATION THEREOF.

4. WITH RESPECT TO THE LAST SENTENCE OF PARAGRAPH 2B ABOVE, RANDERMANN EXPLAINED THAT THIS WAS NOT RPT NOT INTENDED TO EXCLUDE MISSION FLIGHT PLANS, COMMERCIAL UNDERSTANDINGS, OR OTHER SPECIFIC AGREEMENTS WHICH MIGHT BE NEEDED TO RECORD THE RELEVANT DATA FOR A GIVEN CONFIDENTIAL

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EUROPEAN SPACELAB MISSION. THE FRG WOULD BE WILLING TO CONSIDER US PROPOSALS FOR AN EXPLANATORY TEXT SHOULD THIS POINT OFFER ANY DIFFICULTIES.  
HILLENBRAND

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## Message Attributes

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**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
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**Disposition Comment:** 25 YEAR REVIEW  
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**Review Authority:** garlanwa  
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**Review Content Flags:**  
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**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <08-Aug-2001 by shawdg>; APPROVED <10-Sep-2001 by garlanwa>  
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30 JUN 2005

**Review Media Identifier:**  
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**TAGS:** TECH, GE  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005